

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RA No.39-C of 2017 in
RSA No.5120 of 2016
Date of decision: 17.03.2017

Smt. Sahbo Devi

.... Appellant

VS

Divisional Forest Officer, Jhajjar & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Naveen S. Bhardwaj, Advocate
of respondent No.4/applicant.

Rajiv Narain Raina, J.(Oral)

No ground for review of the order is made out because not only Mr. Naveen Bhardwaj was present in Court when the orders were passed but was accompanied by his client Mr. A.S.Malik, Advocate, Rohtak [father of the respondent and review applicant] who clearly, forcefully and unequivocally made the statement before me on behalf of his daughter owning full responsibility to bind his daughter even though I had pointedly asked him if he was ready to make such a binding statement as was ready to make and whether I should record it. He made the emphatic statement not only in Court but also before the father of the deceased – husband who was also present in Court with his learned counsel appearing and assisting.

Once such a positive statement was made and the Court acted on it without any doubt or demur, this Court safely assumed that the interest of the daughter was looked after by none else than the father who stood behind Mr. Bhardwaj without being called forward to make any statement. The statement was voluntary and without anyone coaxing. In fact, quite a scene was created in Court on the hearing day.

Then, I would not permit the review applicant to conveniently wriggle out from the statement made by her father in open Court and with such flourish. I had given option to the father to obtain instructions from the respondent daughter for which purpose I could adjourn the matter to some other date but he was resolute in his request for recording statement to bring an end to the matter and that is how I proceeded to pass the order to close the file. The review applicant is free to dispute with her father.

Accordingly, the review application has no merit and is dismissed.

17.03.2017
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(RAJIV NARAIN RAINA)
JUDGE

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| <i>1. Whether speaking/non-speaking?</i> | <i>Yes</i> |
| <i>2. Whether reportable/non-reportable?</i> | <i>No</i> |